

Assembly Concurrent Resolution

No. 44

Introduced by Assembly Member Ammiano
(Coauthors: Assembly Members Atkins, Eggman, Gordon, and
John A. Pérez)
(Coauthors: Senators Galgiani, Lara, and Leno)

April 4, 2013

Assembly Concurrent Resolution No. 44—Relative to National Day of Silence.

LEGISLATIVE COUNSEL’S DIGEST

ACR 44, as introduced, Ammiano. National Day of Silence: discrimination against lesbian, gay, bisexual, and transgender students.

This measure would declare support for the goals and ideals of the National Day of Silence and would encourage school districts in the state to enforce laws and policies that prohibit name calling, bullying, harassment, and discrimination against all students, teachers, and other school staff regardless of their sexual orientation and gender identity or expression.

Fiscal committee: no.

- 1 WHEREAS, The National Day of Silence is a day in which
- 2 students take a vow of silence to bring attention to the antilesbian,
- 3 antigay, antibisexual, and antitransgender name calling, bullying,
- 4 and harassment faced by individuals in schools; and
- 5 WHEREAS, The Gay, Lesbian and Straight Education Network
- 6 designates the third Friday of every April as the National Day of
- 7 Silence; and

1 WHEREAS, Hundreds of thousands of students at more than
2 8,000 schools have participated in the National Day of Silence in
3 past years; and

4 WHEREAS, The Gay, Lesbian and Straight Education
5 Network's 2011 National School Climate Survey illustrates the
6 pervasive harassment and victimization faced by lesbian, gay,
7 bisexual, and transgender students by documenting their
8 experiences within the preceding academic year; and

9 WHEREAS, Nearly 82 percent of lesbian, gay, bisexual, and
10 transgender students reported being verbally harassed by their
11 peers at school because of their sexual orientation, and more than
12 60 percent because of their gender expression; and

13 WHEREAS, More than 38 percent of lesbian, gay, bisexual,
14 and transgender students reported being physically harassed by
15 their peers at school because of their sexual orientation, and over
16 27 percent because of their gender expression; and

17 WHEREAS, Over 18 percent of lesbian, gay, bisexual, and
18 transgender students reported being physically assaulted by their
19 peers at school because of their sexual orientation, and more than
20 12 percent because of their gender expression; and

21 WHEREAS, More than 60 percent of lesbian, gay, bisexual,
22 and transgender students reported that they felt unsafe in school,
23 and nearly 30 percent reported missing at least one entire schoolday
24 in the preceding month because of safety concerns; and

25 WHEREAS, Transgender students were more likely than all
26 other students to report feeling unsafe at school because of their
27 gender expression; and

28 WHEREAS, According to the National Transgender
29 Discrimination Survey, those who expressed a transgender identity
30 or gender nonconformity while in kindergarten and grades 1 to
31 12, inclusive, reported alarming rates of harassment, physical
32 assault, and sexual violence so severe that almost 15 percent of
33 those surveyed had to leave school; and

34 WHEREAS, Student academic performance is affected such
35 that lesbian, gay, bisexual, and transgender students who
36 experienced high levels of verbal harassment because of their
37 sexual orientation or gender expression report a grade point average
38 nearly a one-half grade lower than those of lesbian, gay, bisexual,
39 and transgender students who experienced low levels of
40 harassment; and

1 WHEREAS, The presence of supportive staff contributed to a
2 range of positive indicators including fewer reports of missing
3 school, fewer reports of feeling unsafe, greater academic
4 achievement, higher educational aspirations, and a greater sense
5 of school belonging; and

6 WHEREAS, In the State of California, we have adopted laws
7 and policies that prohibit name calling, bullying, harassment, and
8 discrimination against students on the basis of their sexual
9 orientation and gender identity or expression; and

10 WHEREAS, Every child should be guaranteed an education
11 free from name calling, bullying, harassment, and discrimination
12 regardless of his or her sexual orientation and gender identity or
13 expression; now, therefore, be it

14 *Resolved by the Assembly of the State of California, the Senate*
15 *thereof concurring*, That the Legislature of the State of California
16 supports the goals and ideals of the National Day of Silence and
17 encourages school districts in the State of California to enforce
18 laws and policies that prohibit name calling, bullying, harassment,
19 and discrimination against all students, teachers, and other school
20 staff regardless of their sexual orientation and gender identity or
21 expression, so that California's schools are institutions where all
22 individuals are able to focus on learning; and be it further

23 *Resolved*, That the Chief Clerk of the Assembly transmit copies
24 of this resolution to the author for appropriate distribution.